

Remarks

Applicant requests cancellation of claims 1-11 and 15-35 without prejudice or disclaimer, and entry of amended claims 12-14 and new claims 36-62. Applicant notes that this Preliminary Amendment is being filed along with a Petition to Make Special.

Support for the amended claims and the new claims can be found in the specification and/or the original claims, as follows.

In claim 12, support for a sequence at least 80% identical to a sequence selected from the group consisting of SEQ ID NO:2, SEQ ID NO:3, and SEQ ID NO:4 can be found at least on claims 9, 12 and 15 as originally filed.

In claim 13, support for a sequence at least 95% identical to a sequence selected from the group consisting of SEQ ID NO:2, SEQ ID NO:3, and SEQ ID NO:4 can be found at least on claims 10, 13 and 16 as originally filed.

In claim 14, support for a sequence selected from the group consisting of SEQ ID NO:2, SEQ ID NO:3, and SEQ ID NO:4 can be found at least on claims 11, 14 and 17 as originally filed.

In claim 36, support for a method for determining presence, absence or quantity of antibody against MNV-1 in a fluid or tissue sample of a mouse can be found at least on page 13, lines 4-6; support for contacting the fluid or tissue sample with at least one MNV-1 polypeptide can be found at least on page 5, lines 12-20; support for detecting binding of the at least one MNV-1 polypeptide to antibody against MNV-1 if present in the sample can be found at least on page 5, lines 17-20.

In claim 37, support for detecting MNV-1 antibody bound to the at least one MNV-1 polypeptide with a labeled antibody that detects presence of mouse antibody can be found at least on page 5, lines 12-20.

In claim 38, support for at least one MNV-1 polypeptide immobilized on a solid immunosorbent surface can be found at least on page 5, lines 14-15.

In claim 39, support for an ELISA plate can be found at least on page 5, lines 14-15.

In claim 40, support for a serum sample, a saliva sample, a feces sample and a tissue sample of the mouse can be found at least on page 12, line 31 to page 13, line 1.

In claim 41, support for a serum sample of the mouse can be found at least on page 12, line 31 to page 13, line 1.

In claim 42, support for an MNV-1 polypeptide comprising at least 20 contiguous amino acids can be found at least on original claims 7 and 8.

In claim 43, support for an MNV-1 capsid protein can be found at least on page 3, lines 19-20.

In claim 44, support for at least one epitope of an MNV-1 protein can be found at least on page 13, lines 21-23.

In claim 45, support for detecting seroconversion for MNV-1 can be found at least on page 13, lines 4-6.

In claim 46, support for an assay surface for detecting antibody against MNV-1 can be found at least on page 19, lines 26-27; support for at least one MNV-1 polypeptide immobilized on an immunosorbent surface can be found at least on page 19, lines 27-28.

In claim 47, support for at least one MNV-1 polypeptide selected from SEQ ID NO: 2, SEQ ID NO: 3, and SEQ ID NO: 4 can be found at least on original claim 32.

In claim 48, support for an ELISA plate can be found at least on page 5, lines 14-15.

In claim 49, support for a method of making an assay surface can be found at least on page 5, lines 14-15.

In claim 50, support for an ELISA plate can be found at least on page 5, lines 14-15.

In claim 51, support for expressing the at least one MNV-1 polypeptide in cells can be found at least on page 19, lines 27-28.

In claim 52, support for transforming or transfecting the cells with at least one MNV-1 polynucleotide encoding the at least one MNV-1 polypeptide can be found at least on page 12, lines 15-20.

In claim 53, support for cloning at least one of the transformed or transfected cells can be found at least on page 17, line 19.

In claim 54, support for an MNV-1 polypeptide comprising at least 20 contiguous amino acids of an MNV-1 protein can be found at least on original claims 7 and 8; support for an amino acid sequence selected from SEQ ID NO:2, SEQ ID NO: 3 and SEQ ID NO: 4 can be found at least on page 11, lines 19-21.

In claim 55, support for an MNV-1 capsid protein can be found at least on page 12, lines 15-20.

In claim 56, support for at least one epitope of an MNV-1 capsid protein can be found at least on page 12, lines 20-23.

In claim 57, support for a kit for detecting seroconversion can be found at least on page 13, lines 4-6; support for an MNV-1 polypeptide immobilized on a solid surface can be found at least on page 19, lines 19-21.

In claim 58, support for reagents for detecting binding of the MNV-polypeptide with MNV-1 antibody if present can be found at least on page 19, line 25 to page 20, line 3.

In claim 59, support for an ELISA plate can be found at least on page 19, lines 27-28.

In claim 60, support for a method for determining presence, absence or quantity of MNV-1 in a fluid or organ sample of a mouse can be found at least on page 9, line 28 to page 10, line 2; support for synthesizing cDNA from RNA comprised by a fluid or organ sample

can be found at least on page 16, lines 12-18; support for detecting MNV-1 cDNA by a PCR assay can be found at least on page 16 line 25 to page 17 line 2.

In claim 61, support for a real time PCR assay and a nested PCR assay can be found at least on page 9, line 28 to page 10, line 2.

In claim 62, support for a sense primer selected from SEQ ID NO:15, SEQ ID NO:17 and SEQ ID NO:19, and an antisense primer is selected from SEQ ID NO:16, SEQ ID NO:18 and SEQ ID NO:20 can be found at least on page 5, lines 26-28 and page 6, lines 9-13.

Conclusion

As it is believed the application is in a condition for allowance, Applicant requests prompt and favorable action.

Applicant requests that the Examiner contact the undersigned attorney by telephone if a discussion would be of benefit toward gaining a rapid allowance of the claims.

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Respectfully submitted,



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